

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:21-cv-00149-MOC-WCM

WILLIAM ORR,

Plaintiff,

v.

U.S. EPA, U.S. DEPARTMENT OF  
INTERIOR, FRENCH BROAD  
ELECTRIC MEMBERSHIP  
CORPORATION, JEFF LOVEN,  
U.S. FISH AND WILDLIFE SERVICE

Defendants.

---

ORDER

This matter is before the Court on Plaintiff's Motion for Extension to Consolidate Reply (the "Motion," Doc. 41), whereby Plaintiff requests an extension of time through and including October 22, 2021 to:

- (1) File a surreply with respect to the Pre-Answer Motions to Dismiss (Doc. 22) filed by Defendants French Broad Electric Membership Corporation and Jeff Loven (the "Private Defendants").
- (2) File an opposition with respect to the Motion to Dismiss Plaintiff's Complaint (Doc. 37) filed by the United States Environmental Protection Agency, the United States Department of Interior, and the United States Fish and Wildlife Services (the "Federal Defendants").

(3) File a reply with respect to both the Federal Defendants' and Private Defendants' oppositions to Plaintiff's request for Preliminary Injunction (Docs. 35, 39, & 44).

The Federal Defendants do not oppose Plaintiff's request for an extension of time to file a single, consolidated response to the pending motions. However, the Federal Defendants request that the Court impose a 25-page limit on Plaintiff's response.

The Private Defendants have not filed a response to Plaintiff's request for an extension.

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Extension and to Consolidate Reply (Doc. 41) is **GRANTED** as follows:

(1) Plaintiff may file a consolidated response/reply to the Private Defendants' Pre-Answer Motions to Dismiss (Doc. 22), the Federal Defendants' Motion to Dismiss Plaintiff's Complaint (Doc. 37), and Defendants' oppositions to Plaintiff's request for Preliminary Injunction. The deadline for such filing is **EXTENDED** through and including October 22, 2021.

(2) Plaintiff is **ADVISED** that, pursuant to Local Civil Rule 7.1(d), the page limit for his consolidated response/reply is 25 pages.

Signed: September 27, 2021

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

